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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/778,464	02/07/2001	Jean-Paul Cano	ESSI:005CP1	5911

7590 01/18/2005
O'KEEFE, EGAN & PETERMAN, L.L.P.
1101 Capital of Texas Highway South
Suite 200
Building C
Austin, TX 78746

EXAMINER

NAKARANI, DHIRAJLAL S

ART UNIT	PAPER NUMBER
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1773

DATE MAILED: 01/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/778,464

Applicant(s)

CANO ET AL.

Examiner

D. S. NAKARANI

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 September 2004.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-26 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 16 and 17 are objected to because of the following informalities: claim 16, line 9, and claim 17, line 8, the word "multiplayer" should read - - multilayer - -.

Appropriate correction is required.

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1-26 are rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for (1) abrasion-resistant coating derived from composition of claim 12 and (2) an inorganic antireflective coating having monolayer with optical thickness of $\lambda/4$ where λ is a wavelength between 450 and 650 nm or having multilayer film comprising three layers with a combination optical thickness $\lambda/4$, $\lambda/2$, $\lambda/4$ or $\lambda/4$, $\lambda/4$, $\lambda/4$, respectively, or equivalent multilayer with similar optical thicknesses (see page 13, lines 21-29), does not reasonably provide enablement for any abrasion-resistant coating and any antireflective coating (e.g. U.S. Patent 4,904,525 and Declaration of Philippe Roisin). The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention commensurate in scope with these claims. The specification as filed does not teach or suggest hard coating such as organic resin coating, inorganic coating etc. All coating has somewhat abrasion resistant. Addition of coating improves abrasion of stack over stack having no coating. The claimed invention does not claim

minimum abrasion-resistant. Also there is no disclosure of an antireflective coating other than inorganic.

4. Claims 1-3, 5, 6, 10, 11, 13, 15, 18 and 20-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taniguchi et al (U.S. Patent 4,904,525) for the reasons of record set forth in paragraph 7 of the Office action mailed October 11, 2002 (Paper No. 8).

5. Applicant's arguments filed September 27, 2004 have been fully considered but they are not persuasive. In reference to rejection of claims under 35 USC § 112 first paragraph applicants mainly argue that the Examiner has not provided required prong of the tests identified in the remarks. Applicants state that the impact resistance enhancing layers having low glass transition temperature and/or made of thermoplastic material or with low cross-linking usually lower the abrasion resistance of the final product. In reference to antireflection coating applicant state that the specification supports organic antireflective coating such obtained from gamma-glycidoxypropyl trimethoxy silane.

These arguments are unpersuasive because there is no disclosure of hard coating made of organic resin or inorganic coating etc. Therefore claiming other than hard coating derived from composition of claim 12 is broader than disclosed in the instant disclosure. In reference to antireflective coating derived from gamma glycidoxypropyl trimethoxy silane as being an organic coating is not correct because

this coating contains organic groups but is not an organic coating but it is an organic – inorganic coating. Furthermore there is no evidenced showing that outside stated thicknesses, coating can be an antireflective coating.

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

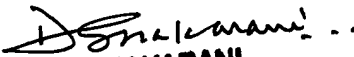
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to D. S. Nakarani whose telephone number is (571) 272-1512. The examiner can normally be reached on Tuesday-Friday from 7:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Deborah Jones can be reached on (571) 272-1535. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

D. S. Nakarani/af
December 17, 2004


D. S. NAKARANI
PRIMARY EXAMINER